

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES FOR THE MICHIGAN)	
CARPENTERS' COUNCIL PENSION)	
FUND, et al.,)	
)	
Plaintiffs,)	Case No. 4:02-cv-13
)	
v.)	Honorable Robert Holmes Bell
)	
STREETER BROTHERS, INC.,)	
)	
Defendant.)	
)	

ORDER OF CIVIL CONTEMPT

This is a civil action brought by trustees of employee welfare and benefit plans to collect fringe benefits due under a collective bargaining agreement. On July 15, 2002, the court entered a consent judgment. Plaintiffs have moved for an order holding defendant and its principal executive officer, Gregory Streeter, in civil contempt for failure to comply with the court's judgment. This court issued an order to show cause requiring defendant and Mr. Streeter to appear before a magistrate judge of this court to show why they should not be held in contempt. Neither defendant nor defendant Mr. Streeter appeared. Plaintiffs produced proofs showing the amount due and unpaid under the judgment. Thereafter, the magistrate judge filed a report and recommendation, recommending that defendant and Mr. Streeter be held in contempt. The time for objection to the report and recommendation has passed without action by any party.

Upon *de novo* review of the report and recommendation, the court determines that it should be adopted. Accordingly:

IT IS ORDERED that the report and recommendation of the magistrate judge (docket # 21) be and hereby is ADOPTED as the opinion of the court.

IT IS FURTHER ORDERED AND ADJUDGED that defendant Streeter Brothers, Inc. and its officer Gregory Streeter be and they hereby are held in civil contempt of this court for failure to comply with this court's consent judgment dated July 15, 2002.

IT IS FURTHER ORDERED that defendant is granted fourteen days in which to purge itself of contempt by payment to plaintiffs of \$1,814.48, plus \$700.00 in attorney's fees.

IT IS FURTHER ORDERED that, if defendant does not purge itself of this contempt, defendant shall incur a fine of \$500.00 per week until all arrearages and fines have been paid. In that event, plaintiffs may move for the issuance of an arrest warrant for Gregory Streeter.

Dated: April 7, 2006

/s/ Robert Holmes Bell
Robert Holmes Bell
Chief United States District Judge